



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bandy *et al.*

Appl. No.: 10/761,362

Filed: January 22, 2004

For: **Radio Frequency Identification
(RFID) Based Sensor Networks**

Confirmation No.: 3422

Art Unit: 2632

Examiner: Thomas J. Mullen

Atty. Docket: 1689.0360001

Second Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on July 27, 2005 in connection with the above-captioned application.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

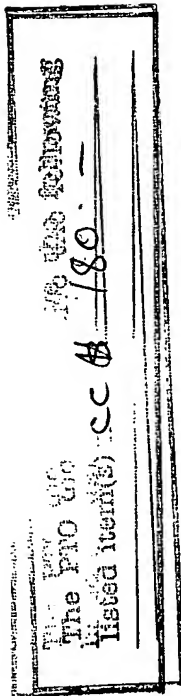
- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date

of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).



☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).

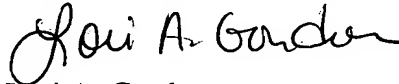
- ☒ 7. A copy of document AT3 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patents and patent application publications (documents AF3-AK3) cited on the attached IDS Forms are submitted. Also, in accordance with 1287 OG 163, a copy of document AS3 is also not submitted, since it is available for viewing on the USPTO's IFW system.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). ____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

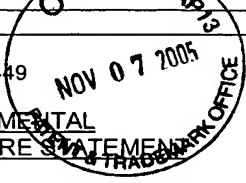


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| Page 1 of 1 | | | | | | | |
| FORM PTO-1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT | <div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 1689.0360001</td> <td style="width: 50%;">APPLICATION NO. 10/761,362</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR William R. Bandy</td> </tr> <tr> <td>FILING DATE January 22, 2004</td> <td>ART UNIT 2632</td> </tr> </table> | ATTY. DOCKET NO. 1689.0360001 | APPLICATION NO. 10/761,362 | FIRST NAMED INVENTOR William R. Bandy | | FILING DATE January 22, 2004 | ART UNIT 2632 |
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| FIRST NAMED INVENTOR William R. Bandy | | | | | | | |
| FILING DATE January 22, 2004 | ART UNIT 2632 | | | | | | |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|--------------|-----------------|---------|-----------------------|-------|-----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF3 | 2002/0149483 A1 | 10/2002 | Shanks <i>et al.</i> | | | 02/12/2002 |
| | AG3 | 2004/0119591 A1 | 06/2004 | Peeters | | | 03/06/2003 |
| | AH3 | 2004/0134984 A1 | 07/2004 | Powell <i>et al.</i> | | | 10/27/2003 |
| | AI3 | 2004/0135674 A1 | 07/2004 | Shanks <i>et al.</i> | | | 10/20/2003 |
| | AJ3 | 6,095,985 | 08/2000 | Raymond <i>et al.</i> | | | 12/30/1997 |
| | AK | 6,501,435 | 12/2002 | King <i>et al.</i> | | | 10/03/2000 |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|--------------|-----------------|------|---------|-------|-----------|-------------|
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
| | AN | | | | | | Yes No |
| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| EXAMINER INITIAL | DOC. REF. | CITATION |
|---------------------|--------------|--|
| | AR | |
| | AS3 | Bandy <i>et al.</i> , U.S. Patent Appl. No. 09/323,206, filed June 1, 1999, entitled "System and Method for Electronic Inventory". |
| | AT3 | Arneson <i>et al.</i> , U.S. Patent Appl. No. 09/496,960, filed February 3, 2000, entitled "Automated Real-Time Distributed Tag Reader Network". |

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|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.